



Foreign Agricultural Service

GAIN Report

Global Agriculture Information Network

Required Report - public distribution

Date: 6/24/2002

GAIN Report #CH1044

China, People's Republic of

Food and Agricultural Import Regulations and Standards

Import-Export Food Labeling Management Regulation

2001

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Report Highlights:

This is an UNOFFICIAL translation of the People's Republic of China *Export Food Labeling Management Regulation* and should be used as a guide only. Exporters should carefully discuss regulations and their application with Chinese importers to ensure that their interpretation of the regulations is accurate.

Includes PSD changes: No
Includes Trade Matrix: No
Annual Report
Beijing[CH1], CH

This report was prepared by the Office of Agricultural Affairs of the USDA/Foreign Agricultural Service in Beijing, People's Republic of China for U.S. exporters of domestic food and agricultural products. While every possible care was taken in the preparation of this report, information provided may not be completely accurate either because policies have changed since its preparation, or because clear and consistent information about these policies was not available. It is highly recommended that U.S. exporters verify the full set of import requirements with their foreign customers, who are normally best equipped to research such matters with local authorities, before any goods are shipped. FINAL IMPORT APPROVAL OF ANY PRODUCT IS SUBJECT TO THE IMPORTING COUNTRY'S RULES AND REGULATIONS AS INTERPRETED BY BORDER OFFICIALS AT THE TIME OF PRODUCT ENTRY.

Summary

This Regulation applies to the labels of all imported or exported foods. It provides for more stringent verification and inspection for the enforcement of import and export food product labeling. Also, the regulation streamlines previous requirements and provides for greater control over false, counterfeit, or poor quality products. China's national State Administration for Entry-Exit Inspection and Quarantine (formerly CIQ) has undergone a merger to become the State Administration for Quality Supervision, Inspection, and Quarantine (AQSIQ). Customs Inspection and Quality offices (CIQ) at the provincial levels have not completed the merger. National AQSIQ and provincial CIQ offices have statutory authority over the inspection of import or export food labels.

Import-Export Food Labeling Management Regulation

Announcement No. 19 (February 15, 2000)

The "Regulation on Management of Import-Export Food Labeling" is announced. It is effective April 1, 2000. Signed by Li Changjiang, Chief Administrator, State Administration for Entry-Exit Inspection and Quarantine.

Chapter One: General Provisions

Article 1: In order to strengthen the management of import-export food labeling and guarantee import-export food quality, this regulation is developed in accordance with the "Law of the People's Republic of China on Import-Export Food Inspection" and the "Law of the People's Republic of China on Food Sanitation", as well as other relevant implementation regulations.

Article 2.: Food labeling in this regulation includes written language, graphs, symbols and all explanation materials on packages of "pre-packaged food" (see article 18).

Article 3: This regulation is implemented for the management of label verification and inspection of import and export food (hereafter referred to as "import-export food").

Article 4: China State Administration for Entry-Exit Inspection and Quarantine headquarters (hereafter referred to as "AQSIQ") shall be responsible for national import-export food labeling management, labeling verification, approval and issuing certificates. AQSIQ shall select some branch offices (hereafter referred to as "selected CIQ offices") to be responsible for preliminary labeling verification and inspection.

Article 5: All food labeling shall be verified and approved with a "Certificate of Import-Export Food Labeling"

Chapter Two: Labeling Verification

Article 6: Food traders or trading agencies shall apply with selected CIQ offices for food labeling verification before importing or exporting food.

Article 7: When applying for verification, the following documents shall be presented:

1. Application;
2. Explanation of food labeling design and any other appropriate materials to certify the design;
3. Explanation of food content stated on labels;
4. Six sets of labeling samples or photo reproductions when unable to provide samples;
5. Regulation for relevant food labeling in destination country (exports only);
6. Other necessary documents.

Article 8: Import-export food of the same variety and same production method, but to different packaging or specification, can have a consolidated application.

Article 9: When applying for verification, relevant inspection samples shall be presented. The samples shall be representative. Samples shall meet verification requirements.

Article 10: Selected CIQ offices shall accept applications for import-export food verification and carry out preliminary verification according to relevant regulations. After preliminary verification, selected CIQ offices shall send the preliminary evaluation results and all application documents to AQSIQ for final verification and approval. Food nutrition and food quality shall be tested and evaluated in laboratories selected by AQSIQ.

Article 11: Verification includes whether labeling design is correct and accurate, and whether food quality conforms to label stipulations. All imported food labeling shall be in standard Chinese.

Article 12: Import food labeling shall be verified according to China's relevant laws, regulations and standards. Export food shall be verified according to the relevant laws, regulations and standards of the importing country.

Article 13: After final verification, AQSIQ shall issue the "Certificate of Import-Export Food Labeling" to qualified food label applications and make a public announcement.

Chapter Three: Labeling Inspection

Article 14: When a food trader or trading agency applies to an inspection and quarantine office for food inspection, it shall present the "Certificate of Import-Export Food Labeling", otherwise the inspection and quarantine office shall not accept the application.

Article 15: When an CIQ office carries out import-export food inspection, it shall inspect food labels and generally evaluate the food quality according to inspection results.

Article 16: Import-export food labeling inspection includes:

1. Confirming whether labels on food applications for inspection conform with established labels;

2. Confirming whether food quality conforms with label stipulations;
3. Confirming whether import-export food labeling can be used in the country that sells the food.

Article 17: Imported food shall not be allowed on the market and export food shall not be allowed to be exported without labeling inspection and certification.

Chapter Four: Additional Articles

Article 18: “Pre-packaged food” is food that is packed in containers for market consumption.

Article 19: Anybody who violates this regulation shall be punished according to the relevant laws and regulations.

Article 20: AQSIQ shall be responsible for interpreting this regulation.

Article 21: This regulation shall be effective on April 1, 2000. The previous laws regarding labeling shall be annulled at the same time. The previous laws include trial “Regulation on Management of Import-Export Food Labeling” (Guo Jian Jian Han No. 158,1994) announced jointly on May 24, 1994 by former China Administration of Commodity Inspection and the Ministry of Foreign Trade and Economic Cooperation, and “Regulation on Management of Labeling Inspection Attached to Import and Export Food” (Guo Jian Jian Han No. 112, 1994) announced on April 21, 1994 by former China Administration of Commodity Inspection.